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10/724,700	12/02/2003	Shuntaro Aratani	03500.017761.	1993

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EXAMINER
RILEY, MARCUS T

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/724,700	ARATANI ET AL.
	Examiner	Art Unit	
	MARCUS T. RILEY	2625	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>30 March 2009</u>.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-16</u> is/are pending in the application.

    4a) Of the above claim(s) <u>1-8, 12 & 16</u> is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>9-11 & 13-15</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>02 December 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All b) ☐ Some * c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>01/29/2004; 02/07/2008</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This office action is responsive to applicant's remarks received on March 30, 2009.

Claims 9-11 & 13-15 are pending. **Claims 1-8, 12 & 16** have been cancelled.

Response to Arguments

2.   Applicant's arguments with respect to amended **claims 9 & 13** filed on March 30, 2009

have been fully considered but they are not persuasive.

A: Applicant's Remarks

For Applicant's remarks see *"Applicant Arguments/Remarks Made in an Amendment"*

filed March 30, 2009.

A: Examiner's Response

Applicant argues that nothing has been found in Narushima that teaches or suggests the

data obtaining unit and the converting unit claimed in Claim 9 or teach or suggest a browser

adapted to display content data based on interpreting the text data described by a markup

language.

Examiner understands Applicant's arguments but respectfully disagree. Narushima

discloses, teaches or suggest the data obtaining unit. Figure 8 of Narushima, #67 shows a

Contents Information Memory that obtains data in the memory. The converting unit is also illustrated in Figure 8 wherein #68 is the contents information conversion unit 68. As understood by examiner and referenced in on page 3, paragraph 0052 of Applicant's specification, the data broadcasting receiving and reproducing program is operated by the CPU 118. It consists of a data receiving program, a data displaying program, a script executing program, and a data printing program and they are collectively called a "browser". Figure 8 of Narishima shows wherein #65 is the CPU system used as a browser. Narishima at column 12, lines 12-18 and column 10, lines 4-19 shows where the CPU system 65 is responsive to various operating commands from the user to control various parts of the STB 30. It also shows where the CPU system 65 has a data receiving program that receives data from the data decoder 58 wherein the data decoder 58 also decodes the contents information for printing by the printer 32. Moreover, it shows where the CPU system 65 has a data displaying program because it performs the process of conversion to displayable SI display signals and the text information may be demonstrated by on-screen display. Furthermore, the CPU system 65 executes a script as illustrated in Fig. 19. Fig. 19 shows a typical case in which the script information distributed by the digital broadcast is converted by the STB into a script suited to printing. Column 20, lines 25-30 of Narashima shows where the text data is described by a markup language and Figure 10 shows a variety of markup languages routinely used in the digital broadcast. Thus, Narushima that teaches or suggests the data obtaining unit and the converting unit claimed in Claim 9 or teach or suggest a browser adapted to display content data based on interpreting the text data described by a markup language.

Accordingly, Examiner submits that Claim 9 is not patentable over Narushima. Independent Claim 13 is a method claim corresponding to apparatus Claim 9 and is also not

patentable. The other claims in this application depend from one or the other of the independent

claims and therefore, are also not patentable for at least the same reasons.   As a result,

Applicant's Application is not in condition for allowance.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   **Claims 9-11 and 13-15** are rejected under 35 U.S.C. 102(e) as being anticipated by

Narushima (US 6,774,951 hereinafter, Narushima '951).

    Regarding claim 9; Narushima '951 discloses a data broadcasting receiving and

reproducing apparatus comprising (See Figure 4 wherein Fig. 4 shows a digital television receiver 10. The digital

television receiver 10 includes a unitary structure comprised of a receiver 11 for receiving digital broadcast, a display unit 12 for

demonstrating digital broadcast and a printer 13 for printing a picture comprehended in the digital broadcast. See column 7, lines

34-39 and column 1, lines 9-17):

    a receiving unit configured to receive a digital broadcasting wave transmitted from a

broadcasting station (See Figure 4 wherein Fig. 4 shows a digital television receiver 10. The digital television receiver 10

includes a unitary structure comprised of a receiver 11 for receiving digital broadcast. See also Figure 8 wherein Fig. 8 shows

where a variety of signals are transmitted and received among various components making up the STB 30 as is indicated by

arrows. The STB 30 may be configured for receiving a variety of digital broadcast, such as ground wave broadcast, satellite broadcast or wire broadcast." See column 7, lines 34-39 and column 8, lines 52-65);

a data obtaining unit for obtaining data broadcasting data including displayable content data and text data including print permission/inhibition information of the content data (See Figure 8 wherein #67 is the Contents Information Memory that obtains data *"In the contents information memory 67, **the entire contents of the contents information displayed on the display device 31, that is the entire text** and picture data, may be transiently stored, or only a portion used for printing by the printer 32 of the contents information for display on the display device 31 may be transiently stored."* column 12, lines 66-67 thru column 13, lines 1-4);

and a script executed based on a broadcasting event included in the digital broadcasting wave, the script being defined preliminary correspondingly to the broadcasting event (See Fig. 19 wherein Fig. 19 shows a typical case in which the script information distributed by the digital broadcast is converted by the STB into a script suited to printing.),

wherein the print permission/inhibition information indicates a set value for permission or inhibition of printing the content data (*"The printer control signal interface 66, connected to a system bus provided in the STB 30, has the function of transmitting/receiving printer control signals to or from the printer 32. **The printer control signals are signals commanding the printer 32 connected to outside from the STB 30 to start or discontinue the print operation or specifying the size or contents of a picture for printing to the printer 32."** column 12, lines 18-28).

the text data is described by a markup language (See Figure 10 wherein Fig. 10 shows a variety of markup languages *"...as shown for example in FIG. 10, on the display device 31, **a variety of markup languages, routinely used in the digital broadcast** or on the Internet, may be used. **These markup languages may be enumerated by, for example, HTML (hyper text markup language)...**"* column 20, lines 25-30),

and the script is a function for executing a process to convert the set value of the print permission/inhibition information (See Fig. 19 wherein Fig. 19 shows a typical case in which the script information distributed by the digital broadcast is converted by the STB into a script suited to printing.),

a storing unit for storing the data broadcasting data obtained by said data obtaining unit (See Figure 8 wherein the Contents Information Memory stores the data *"The STB 30 may be configured for transiently holding*

*the desired contents information in the **contents information memory 67** depending on a user command, or may be configured*

*for updating the contents information comprehended in the received digital broadcast from time to time **to store the occasionally***

updated contents information in the contents information memory 67. *" column 12, lines 59-65);*

     a setting information obtaining unit for obtaining, from the text data stored in the data

storing unit, the print permission/inhibition information of the content data (See Figure 8 wherein #68

obtains the text data stored in the data storing unit #67 "***The contents information conversion unit 68 reads out the contents***

information for printing, from the various contents information transiently stored in the contents information memory 67, and

converts the contents of the contents information into contents suited to printing characteristics of the printer 32." column 12,

line 66 thru column 13, line 23).

     converting unit for converting the set value indicated by the print permission/inhibition

information obtained by the data obtaining unit from one permitting the printing the content data

into one inhibiting the content data, or from one inhibiting the printing the content data into one

permitting the printing the content data (See Figure 8 wherein #68 is the converting unit. See Figures 21 and 22

wherein Step S59 of Fig. 22, shows where the STB 30 converts the contents information stored in the contents information

memory 67 by the contents information conversion unit 68 and then moves to step S57. At step S57, the STB 30 sends the

contents information converted by the contents information conversion unit 68 to the printer 32 through the contents information

outputting unit 69. See column 23, lines 42-57 and column 24, lines 3-10);

     wherein said converting unit comprises a browser adapted to display the content data by

interpreting the text data (See Figure 8 wherein #65 is the CPU system used as a browser. The CPU system 65 is

responsive to various operating commands from the user to control various parts of the STB 30. "*The CPU system 65 also*

performs the processing of conversion to displayable SI display signals, by performing conversion processing exploiting font

*data provided in the font ROM, based on the SI control signal output from the data decoder 58... In this manner, **the text***

***information may be demonstrated by on-screen display (OSD)** based on e.g., the SI information.*" column 12, lines 12-18);

     the browser converting the set value indicated by the print permission/inhibition

information corresponding to the content data obtained by the data obtaining unit and stored in

the data storing unit, (*"**The CPU system 65 then performs conversion processing, exploiting the font data provided in***

the font ROM, based on the SI control signal, for conversion to displayable SI display signals. The data decoder 58 also decodes the contents information for printing by the printer 32 to output the decoded contents information to the contents information memory 67." column 10, lines 4-19);

according to executing the script corresponding to the broadcasting event included in the digital broadcasting wave (See Fig. 19 wherein Fig. 19 shows a typical case in which the script information distributed by the digital broadcast is converted by the STB into a script suited to printing.),

Regarding claim 10; Narushima '951 discloses further comprising a transmitting unit for transmitting printable content data to a print device, based on the print permission/inhibition information obtained by said setting information obtaining unit (See Figure 8 wherein the STB 30 transmits printable content data to a print device *"The **printer control signal interface 66,** connected to a system bus provided in the STB 30, has the function of transmitting/receiving printer control signals to or from the printer 32. The printer control signals are signals commanding the printer 32 connected to outside from the STB 30 to start or discontinue the print operation or specifying the size or contents of a picture for printing to the printer 32."* column 12, lines 18-24).

Regarding claim 11; Narushima '951 discloses further comprising a rendering unit for rendering printable content data, wherein the content data rendered by the rendering unit is transmitted by said transmitting unit to the print device (See Figure 8 wherein #66 is the Printer Control Signal Interface that renders printable content data. *"The **printer control signal interface 66,** connected to a system bus provided in the STB 30, has the function of transmitting/receiving printer control signals to or from the printer 32. The printer control signals are signals commanding the printer 32 connected to outside from the STB 30 to start or discontinue the print operation or specifying the size or contents of a picture for printing to the printer 32. The printer control signals are also signals for furnishing the information such as for completion of the printing operation,* shortage of printing sheets or ink, or stuffing of the printing sheets, from the printer 32 to the STB 30."* column 12, lines 18-28).

Regarding claim 13; Independent claim 13 contains substantially similar features as that of apparatus claim 9. Thus, claim 13 is rejected on the same grounds as claim 9.

Regarding claim 14; Claim 14 contains substantially similar features as that of apparatus claim 10. Thus, claim 14 is rejected on the same grounds as claim 10.

Regarding claim 15; Claim 15 contains substantially similar features as that of apparatus claim 11. Thus, claim 15 is rejected on the same grounds as claim 11.

Examiner Notes

5.   The Examiner cites particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully considers the references in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or as disclosed by the Examiner.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCUS T. RILEY whose telephone number is (571)270-1581. The examiner can normally be reached on Monday - Friday, 7:30-5:00, est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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